

South Australia

Dangerous Substances (Dangerous Goods Transport) Variation Regulations 2018

under the *Dangerous Substances Act 1979*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Dangerous Substances (Dangerous Goods Transport) Variation Regulations 2018*.

2—Commencement

These regulations will come into operation on 1 March 2018.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Dangerous Substances (Dangerous Goods Transport) Regulations 2008*

4—Variation of regulation 3—Scope of Act and regulations

Regulation 3(4)—delete "for which an inner package is required by the ADG Code to be marked with a proper shipping name or the technical name of the goods (see section 5.2.1.8 of the ADG Code)" and substitute:

set out in section 1.1.1.2(3)(a) of the ADG Code

5—Variation of regulation 4—Interpretation

- (1) Regulation 4(1), definition of *ADG Code*—delete "published by the Commonwealth of Australia as in force" and substitute:

approved by the Transport and Infrastructure Council as in force or remade

- (2) Regulation 4(1)—after the definition of *approved training course* insert:

article means a manufactured item, other than a fluid or particle, that—

- (a) is formed into a particular shape or design during manufacture; and
- (b) has hazard properties and a function that are wholly or partly dependent on that shape or design,

and includes batteries, aerosols, gas-filled lighters, seat belt pre-tensioners and refrigerating machines;

- (3) Regulation 4(1), definition of *licence label*—delete the definition
- (4) Regulation 4(1), definition of *placard load*, paragraph (a)—after "receptacle" insert:
, other than an article,
- (5) Regulation 4(1), definition of *placard load*, paragraph (b)—after "receptacle" insert:
, other than an article
- (6) Regulation 4(1), definition of *placard load*—delete "but does not include a retail distribution load" and substitute:

but does not include a load containing an aggregate quantity of dangerous goods of less than 2 000 that consists only of the following dangerous goods:

- (g) dangerous goods that are packed in limited quantities;
- (h) the following dangerous goods:
 - (i) fireworks that are bon bons, party poppers or sparklers;
 - (ii) domestic smoke detectors containing radioactive material;
 - (iii) lighters or lighter refills containing flammable gas;
 - (iv) fire extinguishers with compressed or liquefied gas, up to a net mass of 23 kilograms;
- (i) a combination of the dangerous goods referred to in paragraphs (g) and (h);

- (7) Regulation 4(1), definition of *retail distribution load*—delete the definition
- (8) Regulation 4(1), definition of *Standing Council on Transport and Infrastructure*—delete the definition
- (9) Regulation 4(1), after the definition of *train* insert:

Transport and Infrastructure Council means the Ministerial Council called the Transport and Infrastructure Council and established with the authority of the Council of Australian Governments;

6—Variation of regulation 24—Licence condition requiring production of certificate of medical fitness

Regulation 24(1)(b)—delete "in September 2003 (ISBN 0 85588 507 6)" and substitute:

as in force from time to time

7—Variation of regulation 36—Replacement licences

- (1) Regulation 36(2)—delete "or licence label"
- (2) Regulation 36(2)—delete "or label"

8—Revocation of regulation 43

Regulation 43—delete the regulation

9—Variation of regulation 44—Disposal of licensed vehicle

Regulation 44(1)(b)—delete paragraph (b)

10—Variation of regulation 74—Appropriately marked and labelled

Regulation 74(2)—delete subregulation (2) and substitute:

- (2) However, a package of dangerous goods containing a quantity of dangerous goods in each inner packaging or in each article that does not exceed the quantity specified, or referred to, in column 7 of the Dangerous Goods List for those goods is appropriately marked and labelled for the purposes of this Division if, instead, it is marked and labelled in accordance with Chapter 3.4 of the ADG Code.

11—Variation of regulation 147—Emergency plans

Regulation 147(3)(c)—delete "Standing Council on Transport and Infrastructure" and substitute:

Transport and Infrastructure Council

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 13 February 2018

No 30 of 2018

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